

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
AUGUST 3, 2010
5:00 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Greg Wilkinson
Police Chief, Jerry Geier
Principal Planner Community Development, Leslie Zlatev
Asst. Planner Community Development, Doug Thomsen
Various Department Heads or their representative
City Clerk, Lynda L. Bushong

I. REGULAR CITY COUNCIL MEETING AGENDA OF AUGUST 4, 2010

McClendon requested items B.2 (Special Event Liquor License Humane Society of Yuma, Inc.) and B.10 (City of Yuma Airplane) be pulled from the Motion Consent Agenda for separate vote at tomorrow's regular meeting.

Mayor Krieger stated that item B.7 (Cooperative Purchase Agreement Chevy Impala Police Vehicles) would be withdrawn from the Motion Consent Agenda at tomorrow's regular meeting.

II. GRAFFITI UPDATE

Chief Geier clarified certain issues associated with the proposed Graffiti Ordinance as follows:

- On April 8, 2010 a graffiti abatement program was developed with the input of the Mayor, the Police Chief, the Police Department and Parks and Recreation department.
- The initiative involves:
 - The immediate removal of graffiti by Parks & Recreation personnel.
 - An aggressive enforcement campaign against those vandalizing the community.
 - Community education and awareness.
- The next phase of the initiative addressed education and the accountability of business owners and retailers.
- The current ordinance is about 14 years old and contain two requirements that are no longer practical:

- Signage:
 - The current ordinance requires a separate sign at each register in a retail business.
 - The proposed ordinance requires retailers to have one sign in a common area where all employees can see it.
- Fine amounts:
 - Current fine: \$25.
 - Not worth the time to write the citation.
 - For the program to be successful, a penalty of between \$250 and \$500 is necessary.
 - The fine is neither excessive nor extreme, but is an amount that will get business owners notice and cause repeat violators to comply.
 - Additional features of proposed ordinance:
 - Requires additional training for officers in graffiti trends, locations and participants.
 - Standardizes Parks and Recreation reporting system.
 - Active public awareness campaign
 - Implemented 30-second public service announcements.
 - Created educational brochures.
 - Developed a "Tags" webpage on both the Police Department and Parks and Recreation website.
 - Some arrested suspects were aware of the initiative.
 - Community members and homeowner associations have noticed a drop in graffiti and have expressed appreciation for the initiative
 - Initiative is a Citywide Program
 - Statistics
 - April to August 2009 –909 cases of graffiti reported.
 - April to August 2010 –768 cases of graffiti reported.

If the ordinance is adopted, the Yuma Police Department's Public Affairs unit will contact, provide information to, and speak with management in every retail establishment in the City who sells graffiti implements about this change. In addition, a 90 day educational grace period will be given to help our retailers become compliant and make sure they know the new ordinance.

Discussion

- Uniformity
 - City Staff needs to offer guidance to the retailers concerning the placement of signs so they are visible to both employees and the public.
 - Signs need to be uniform in design making them easily recognizable
- Pamphlet
 - Businesses should be provided pamphlets that explain the new law when they are visited by the Public Affairs unit.

Johnson suggested removing the phrase “or surveillance equipment” from the allowed ways a business can monitor graffiti implements. **Geier** stated the word originates with the 1996 ordinance. **Mayor Krieger** opposed the removal of the phrase.

Mayor Krieger asked how the local Judges have responded to the proposed revision? **Geier:** They are supportive. **Mayor Krieger** stressed the importance of giving the courts teeth when dealing with retailers found to be in violation of the law.

III. HISTORIC NORTH END CORRIDOR PLAN

Zlatev, provided a presentation on the Historic North End Corridor Plan: A Main Street Renewal Project.

Presentation

- History
 - The City Council was originally briefed on this project in September 2009 as a result of a \$10,000 grant the City received from the State Historic Preservation Office (SHPO).
 - The project involves the development of a long term plan to guide future policy and zoning decisions for redevelopment within the Historic North End Corridor boundaries.
- The plan has been written by City Staff with technical assistance from consultants in the incentive and implementation portion of the program.
- Corridors identified for the revitalization
 - Main Street Corridor
 - Peripheral Support Corridor
- The plan is designed as a community-based justification for preservation, conservation and defined development within each corridor segment.
- Major focus:
 - Identify financial incentives to assist current property owners;
 - Identify ways to attract commercial and residential developers
 - A block-by-block needs assessment was completed to identify where and how incentives could be implemented and determine the potential for restoration and rehabilitation of various historic landmarks.
- The 19-member Plan Advisory Group
 - Involved a wide composition of the community.
 - Involved in the process from September 2009 through present.
- Revitalization Planning Objectives
 - Create a distinctive land use plan based on existing marketing niches; i.e. tourism, historical significance, and arts and entertainment.
 - Involve the community in identifying shared values, thereby strengthening the available resources for implementation of plan.
 - Incorporate key concepts of the Imagine a 2020 Vision Plan and Riverfront redevelopment efforts.
 - Create consistency with the historic and southwestern character of the area

- Incorporate the Historic District and Design Guidelines in exterior designs and infill development
- Create financial incentives for property owners and developers to encourage development and revitalization of the corridor area.

Goal-oriented, guiding visions

- Gain positive public perception of historic district/North End
- Create cohesive and harmonious districts that attract and retain residential and commercial occupancy
- Attract attention to local landmark structures and architectural diversity
- Define nodes that express, both formally and informally, historic districts and corridors
- Seek developers and business owners that will attract year round patrons
- Revive Main Street as Yuma's entertainment district with the supporting corridors
- Create opportunity for mixed-use development
- Promote Private Investment in buildings and structures and support appropriate economic development
- Contribute to green building principles through reuse of existing structure and green incentives
- Encourage historic preservation and promote integrity of historic sites and structures.
- Gain occupancy of large individually listed buildings in the North End
- Link the North End of the Corridor Plan with Riverfront development
- Increase Residential and commercial building occupancy

Main Street Renewal Philosophy

- Main Street Corridor
 - The focal point area and center of activity-a corridor for Mixed Use development
 - First floor: retail, entertainment, arts, culture; secondary floor: residential and office.
- Peripheral Support Corridor
 - Madison Avenue/Maiden Lane
 - Support Corridor: retail, offices, residential, secondary entertainment and cultural uses.
 - Gila Street
 - Transportation Corridor and other support uses
 - 1st Avenue
 - Municipal Court support services and uses, various other offices and specialized small scale commercial uses.

The Advisory Panel decided the North End needs a sense of place that will give it a name locally, nationally and internationally.

Creating a Sense of Place

- The Historic North End - the name conveys the history of the area
- Capitalize on niche marketing for North End revitalization
 - Tourism
 - Historic prominence
 - Arts and entertainment
- Small-scale business opportunities from incentives
- Residential Component to North End Revitalization – increased numbers attract business
- Historic Preservation and Aesthetics
 - A topic of significant panel discussions
 - Revisions to the Historic District design guidelines adopted for the historic district may be revisited in the future.

Thomsen briefed the City Council on implementation of the plan.

- Initial action step: include input from the public, the Design and Historic Review Commission (DHRC), the Planning and Zoning Commission (P&Z) and City Council.
- Create market materials prescribing goals and incentives to qualifying projects
- Use incentives successfully
- Research development fees and their impact on North End development

Thompson introduced Dave Fachler, Principal in Neilson Fachler Planning and Development, stating Dave has been working with City staff primarily on the Riverfront projects for the last 5 years. He has advised the City on various economic development tools, which have been used successfully to move a number of projects forward.

Fachler discussed those economic tools the advisory committee recommended for inclusion in the plan.

- Infill Incentive District
 - Previously established by the City of Yuma, outlined for active use
 - Allows for expedited zoning/rezoning procedures, expedited plan processing, relief from development standards, and waiver of development fees
 - Waiving or delaying the fees would be a significant benefit to business developers.
- Sales Tax and Bed Tax Rebates
 - City would rebate a portion of sales/bed taxes in support of economic development
 - Rebates must be used towards infrastructure and for historic preservation
- Government Property Lease Excise Tax
 - State enabled incentive that abates property taxes for 8 years
 - Property is temporarily conveyed to the City and leased back to the owner. After the tax abatement period, the property is reconveyed to the owner and is placed back on the tax rolls at the higher redeveloped property value.

- Very attractive for property owners and the City because it will save property owners thousands of dollars while having minimum financial impact on the City.
- Recently legislation (HB2504) makes the incentive less attractive beyond the 8 year mark and outside of redevelopment districts.

Examples

PROJECT: 111 S. Main; Main Street Cinema 26,772 ft.² building

Year	Tax Owed	Interest	Status
1999	1,236	83	Vacant Land
2001	25,331	4,390	Partially Constructed
2002	46,301	1,234	New Building Finished Construction

8 year abatement at redeveloped tax rate = \$370,408

PROJECT: 132 S. Main; Monarch's Rest and Pub 10,485 ft² restaurant

Year	Tax Owed	Interest	Status
1999	303	0	Vacant Land
2002	18,072	3,133	New Building Finished Construction

8 year abatement at redeveloped tax rate = \$144,576

PROJECT: 284 S. Main; Remodeling vacant building

Year	Tax owed (\$)	Interest (\$)	Status
2005	5,039	0	Vacant Building
2008	13,093	0	Remodeling Building

8 year abatement at redeveloped tax rate = \$104,744

Incentive Criteria

- Establish standards the proposed project must meet
- Initially, all development agreements will need to be approved by the City Council individually
 - Ultimately, the City Council could establish a threshold for projects to be approved administratively
 - Project must meet at least one of the following criteria:
 - The applicant's project and/or business operation will improve or enhance the economic welfare or quality of life of the citizens of Yuma.
 - The overall benefits which the City will receive from the applicant's project in the form of increased employment at a living wage, sales taxes or generated investment in the community outweighs the economic incentive costs of the City.
 - The use of incentives will assist to further develop the economic vitality of the North End.

- Project must meet all of the following provisions:
 - The applicant's proposed project or use assists the community in reaching the goals and objectives of the Historic North End Corridor Plan.
 - The property sought to be utilized, and the use established thereon, is a legal conforming property and use, per the City of Yuma Zoning Ordinance.
 - The use is eligible use under the provisions of this program.
 - The applicant has received all necessary approvals to proceed with the proposed project.
 - The applicant has shared their business plan and/or project proforma with the City and has shown that the project requires incentives to move forward at an acceptable rate of return on investment.
 - The property to be developed, expanded or redeveloped meets all applicable environmental requirements as well as fully meets all applicable City requirements, such as landscaping and signage codes, parking and federal ADA requirements.
 - Existing non-conforming properties should provide a plan to work towards becoming compliant, or in the opinion of the Zoning Administrator have made every effort to come into substantial compliance.

Thomsen outlined expected outcomes:

- Improved relations with residents, patrons, and owners within the targeted corridors
- Development strategies for future use based corridor development for Gila Street, Maiden/Madison, and Main Street, which incorporates existing redevelopment entities.
- Implementation of Economic Development incentives
- Phased implementation of corridor plan

Commission Recommendations:

- DHRC
 - Approved draft June 23, 2010
 - Adopted plan and forwarded to P&Z Commission for comments
- P&Z Commission
 - Reviewed and discussed July 26, 2010
 - Adopted plan

Remaining Public Outreach Process

- August 3, 2010 – City Council Worksession
- September 1, 2010 – City Council Public Hearing
- September 15, 2010 – Plan finalized and forwarded to the SHPO
- October 2010 – Marketing of Incentive Program begins

Discussion

Beeson questioned whether there has been ample input from business owners and property owners in the area? He spoke with one individual who is opposed to the name Historic North End. **Zlatav** reported that at an open house on September 20, 2009 four merchants, or property owners within the corridor area, represented the group. **Thomsen** explained that the name was approved by the advisory commission by vote.

Johnson: Nothing in the plan documents the history that occurred in the area. He would have liked to see signs that refer to historic routes and events addressed in this plan, such as the Butterfield Stage and Kearney's Army of the West. **Zlatev:** The plan is a large scale revitalization plan for the district and does not specifically mark each historic landmark.

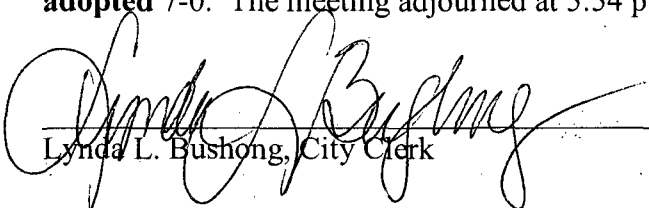
Johnson replied that the history of the area attracts historic tourism. **Zlatev** agreed that this is one of the niches that haven't been fully capitalized on. Staff could submit another SHPO Grant for use in documenting a number of historic heritage area sites. **Johnson:** It only costs about \$100.00 to make and install a 35 X 30 sign. This could be done throughout Main Street for about \$600 in both directions. **Mayor Krieger** agreed that the signage of the historic routes and historic events should be addressed. **Mayor Krieger** also cautioned staff not to be overzealous in their enforcement of the regulations. A number of people have asked about applying these incentives to the businesses along 4th Avenue and other parts of town.

IV. ADDITIONAL ITEMS FOR POSSIBLE DISCUSSION

No additional items were discussed.

V. ADJOURNMENT/EXECUTIVE SESSION

Motion (McClendon/Brooks-Gurrola): To adjourn to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 5:54 p.m.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

